

IN RE: PETITION FOR ADMIN. VARIANCE  
SW/S Wesley Avenue, 445' S of  
the c/l of Main Avenue  
(132 Wesley Avenue)  
1st Election District  
1st Councilmanic District

Thomas Hebron  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-426-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 132 Wesley Avenue, located in the vicinity of Edmondson Avenue in Catonsville. The Petition was filed by the owner of the property, Thomas Hebron. The Petitioner seeks relief from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 20 feet in lieu of the required front average of 30.5 feet for a proposed enclosed porch. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affida-

ORDER RECEIVED FOR FILING

Date

By

5/31/96

RP

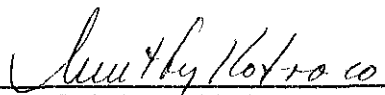
MICROFILMED

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30<sup>th</sup> day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 20 feet in lieu of the required front average of 30.5 feet for a proposed enclosed porch, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 5/30/96  
By ABP

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

May 30, 1996

Mr. Thomas Hebron  
132 Wesley Avenue  
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SW/S Wesley Avenue, 445' S of the c/l of Main Avenue  
(132 Wesley Avenue)  
1st Election District - 1st Councilmanic District  
Thomas Hebron - Petitioner  
Case No. 96-426-A

Dear Mr. Hebron:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. R. L. Tice, Patio Enclosures, Inc.  
224 8th Avenue, Glen Burnie, Md. 21061

People's Counsel

File

MICROFILMED





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at

132 WESLEY AVENUE

which is presently zoned

DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 303.1

To allow a front yard setback of 20 in lieu of the required front average of 30.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

\*SEE REVERSE SIDE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

XXXXXX for Petitioner:

PATIO ENCLOSURES, INC

(Type or Print Name)

Signature

R. L. TICE, AGENT

224 8th AVENUE

760-1919

Address

Phone No.

GLEN BURNIE, MD. 21061

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

THOMAS HEBRON

(Type or Print Name)

Signature

(Type or Print Name)

Signature

132 WESLEY AVENUE

Address

788-4392

Phone No.

CATONSVILLE, MD.

21228

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

PATIO ENCLOSURES, INC.

Name

224 8th AVE.

760-1919

Address

Phone No.

GLEN BURNIE, MD. 21061

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ESTIMATED POSTING DATE: \_\_\_\_\_



Printed with Soybean Ink  
on Recycled Paper

ITEM # 431

MICROFILMED

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 132 WESLEY AVENUE  
address  
CATONSVILLE, MD. 21228.  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLACE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS: MOSQUITOES, FLYS, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

X Thomas J. Hebron  
(signature)  
THOMAS HEBRON  
(type or print name)



\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12<sup>th</sup> day of April, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas Hebron

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

4/12/96

NOTARY PUBLIC

My Commission Expires:

7/2/98

LEGAL DESCRIPTION OF PROPERTY

96-426-A

Beginning on the southwest side of Wesley Avenue, 30' wide at a distance of 445' south of the centerline of Main Avenue and running thence easterly along the southernmost line of the said whole tract of ground 150 feet to the west side of Wesley Avenue thence northerly along the west side of Wesley Avenue with the use thereof in common 50 feet, thence westerly parallel with said southernmost outline 150 feet to the easternmost boundary of the lot thence southerly bounding on the easternmost outline of said lot 50 feet to the place of beginning. The improvements thereon being known as NO. 132 Wesley Avenue.

MICROFILMED

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland 96-426-A

District 1st

Posted for: Lawrence

Date of Posting 3/11/66

Petitioner: Thomas Hobbes

Location of property: 132 Westly Rd

Location of Sign: Large wooden sign on property being zoned

Remarks: \_\_\_\_\_

Posted by: M. Kelly

Signature

Number of Signs: 1

Date of return: 3/17/66

MICROFILMED

BALTIMOR COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No 019853

DATE May 96 ACCOUNT R-001-0150  
Item 431 CAM  
(F) AMOUNT \$ 85.00

RECEIVED FROM: Rice Lee Corp for Hebron

FOR: Mrs. V. Rice 132 Wesley Ave

MICROFILMED

ATTN: R. L. Tice 03A9140017MICHRC \$85.00  
03A9140017MICHRC 03A9140017MICHRC  
03A9140017MICHRC 03A9140017MICHRC

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER  
VALIDATION OR SIGNATURE OF CASHIER

96-426

019853

MICROFILMED

cc: Thomas Hebron  
R. L. Tice/Patio Enclosures, Inc.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 13, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-426-A (Item 431)  
132 Wesley Road  
SW/S Wesley Avenue, 445' S of Main Avenue  
1st Election District - 1st Councilmanic  
Legal Owner(s): Thomas Hebron

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property has been posted. The file's closing date is May 28, 1996. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request before the closing date or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Thomas Hebron  
R. L. Tice/Patio Enclosures, Inc.

**MICROFILMED**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 24, 1996

Patio Enclosures, Inc.  
R. L. Tice  
224 8th Avenue  
Glen Burnie, MD 21061

RE: Item No.: 431  
Case No.: 96-426-A  
Petitioner: Thomas Hebron

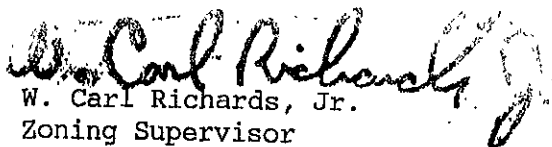
Dear Mr. Tice:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: May 9, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Nos. 423, 425, 426, 428, 431, 434, 435, and 436

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Dan L. Kerns

PK/JL

MICROFILMED



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoﬀ  
Administrator

5-10-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 431 (CAM)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 05/16/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 13, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 423, 424, 425, 426, 428,  
429, 430, 431, 432, 433, 435 AND 436.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: May 20, 1996

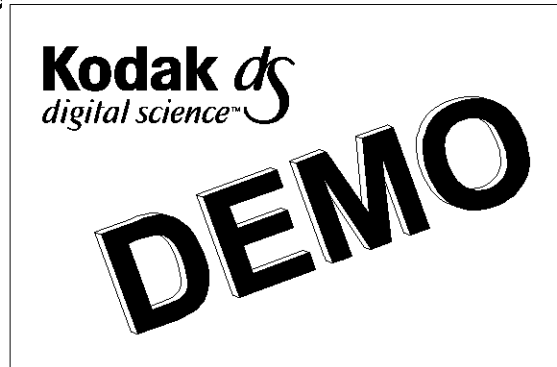
FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for May 20, 1996  
Item No. 431

The Development Plans Review Division has reviewed the subject zoning item. Wesley Avenue is an existing road which shall be improved as a 30-foot street cross :

RWB:HJO:jrb

cc: File



ZONE10C

MICROFILMED

# PETITION PROBLEMS

## **#423 --- JRF**

1. No telephone number for legal owner.
2. No hardship or practical difficulty on petition form.
3. Notary section is incomplete.

## **#426 --- JLL**

1. Who signed for attorney? Need authorization for person signing for attorney.
2. No review information on bottom of petition form.
3. Need better description.

## **#428 --- CAM**

1. No wording (just section number) on petition form for variance.
2. Address and telephone number for legal owner not in proper place on petition form.

## **#429 --- JLL**

1. Only one legal owner signed petition form. Need other signatures or authorization for this person to sign for all.

## **#431 --- CAM**

1. No review information on bottom of petition form.

## **#433 --- JRA**

1. No wording or section number of petition form for variance.
2. Folder says zoning is "B.M. & M.R."; petition says zoning is "M.R." - which is correct??
3. Checks and receipt still in folder - never cashed.

## **#435 --- JJS**

1. Need title of person signing for legal owner. Need authorization for person signing for legal owner.

NO TITLE SEARCH  
NO STAMPS REQUIRED  
WIFE TO HUSBAND  
CONVEYANCE

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

TRANSFER TAX NOT REQUIRED  
Director of Finance  
BALTIMORE COUNTY, MARYLAND

This Deed, MADE THIS

day of

in the year one thousand nine hundred and ninety-two

by and between

Thomas J. Hebron and Wanda Sue Hebron, his wife, parties of the First Part,

of Baltimore County

of the first party and 15.00

Thomas J. Hebron, of Baltimore County, State of Maryland

DEED 5.00

BY CLERK 20.00

RECEIVED FOR TRANSFER 113

of the second part.

WITNESSETH, That in consideration of the sum of Twenty Thousand (\$20,000.00) Dollars paid by Thomas J. Hebron, unto Wanda Sue Hebron, his wife, pursuant to a Separation Agreement.

the said parties of the First Part

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Baltimore County

U. M. 8-28-92  
By Date

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE  
SIGNATURE 8-28-92 DATE

do grant and convey to the said Thomas J. Hebron, the party of the Second Part, his

personal representatives/successors and assigns that  
First Election District of Baltimore County  
lot of ground situate in

, in fee simple, all

and described as follows, that is to say:

Beginning for the same at the southeast corner of the lot heretofore demised Elias Liuezey to James A. Collins by Lease dated August 15, 1911 and recorded among the Land Records of Baltimore County in Liber WPC NO. 381, folio 580, which point of beginning is designed to be in the southernmost outline of the whole parcel of land heretofore conveyed by Mary E. Sheibler and husband to Elias Liuezey and running thence easterly along the southernmost line of the said whole tract of ground 150 feet to the west side of Wesley Avenue thence northerly along the west side of Wesley Avenue with the use thereof in common 50 feet, thence westerly parallel with said southernmost outline 150 feet to the easternmost boundary of the lot heretofore deeded to Collins as aforesaid, thence southerly bounding on the easternmost outline of said lot 50 feet to the place of beginning. The improvements thereon being known as NO. 132 Wesley Avenue.

BEING the same lot of ground described in a Deed dated August 4, 1955 and recorded among the Land Records of Baltimore County in Liber GLB No. 2752, folio 135 from James S. Penn and Margaret M. Penn, his wife, to Francis E. Hebron and Mildred E. Hebron, his wife. The said Francis E. Hebron departed this life on or about October 1, 1973 thereby vesting the absolute fee simple title in and to the hereinabove described property unto Mildred E. Hebron, the herein Grantor.

BEING the same lot or parcel of ground which by Deed dated July 19, 1976 and recorded among the Land Records of Baltimore County in liber 5657, folio 776, etc. was granted and conveyed by Mildred E. Hebron unto the within named Grantors.

At the request of both parties, Grantors hereto, no title search was made and this deed is prepared solely on the basis of information furnished by them and a valid Separation Agreement. This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney or by a party to this instrument.

Phineas S. Dixon, Esquire

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

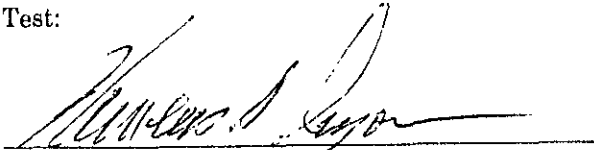
To HAVE AND To HOLD the said described lot of ground and premises to the said Thomas J. Hebron as his sole and separate Estate, his heirs and

personal representatives/successors and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

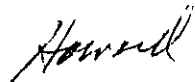
WITNESS the hands and seals of said grantors.

Test:



 (SEAL)  
THOMAS J. HEBRON

 (SEAL)  
WANDA SUE HEBRON

STATE OF MARYLAND,  , to wit

I HEREBY CERTIFY, That on this 5<sup>th</sup> day of June, before me, in the year one thousand nine hundred and ninety-two, the subscriber, a Notary Public of the State aforesaid, personally appeared Thomas J. Hebron

known to me (or satisfactorily proven) to be the person whose name is ~~xxx~~ subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

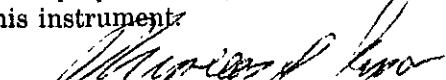
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

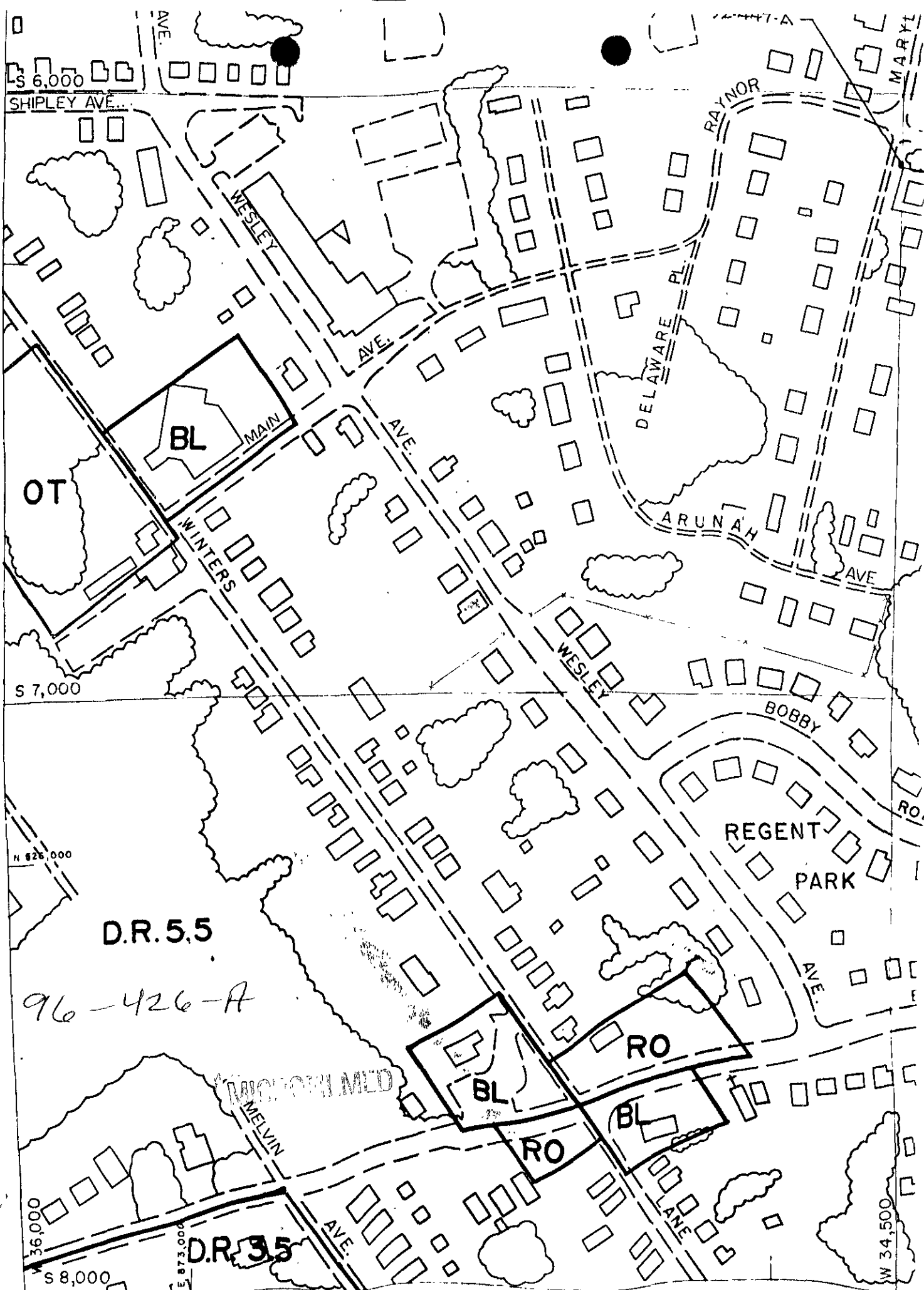
07/11/92



This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.

  
(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)

RECORDED



Plat to

PROPERTY

Subdivision name

plat book #

OWNER:

not in a

96-4

North  
date: 5/1/5  
prepared by

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 132 Wesley Avenue

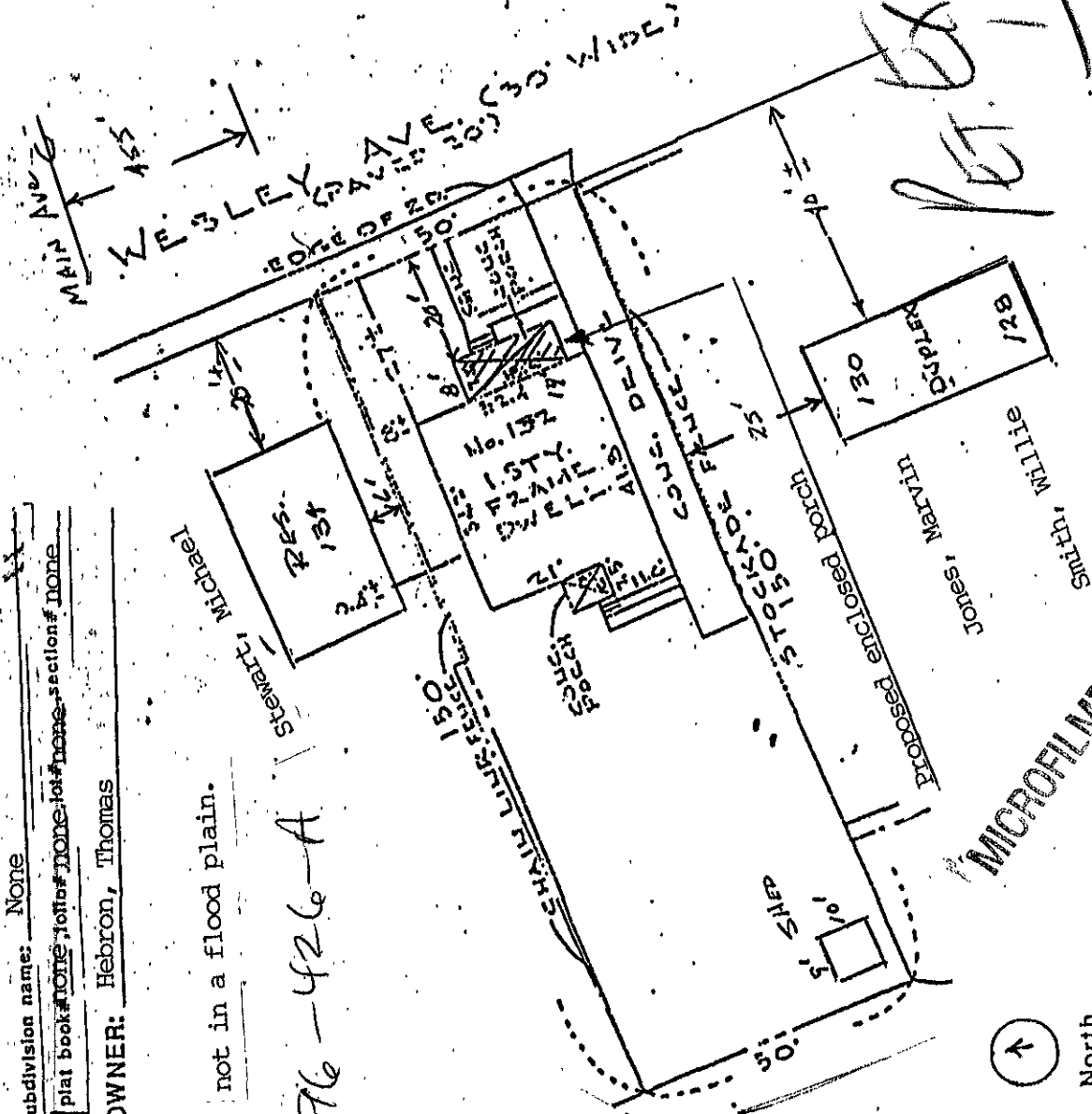
Subdivision name: None

plat book none, lot none, for none, section none

OWNER: Hebron, Thomas

not in a flood plain.

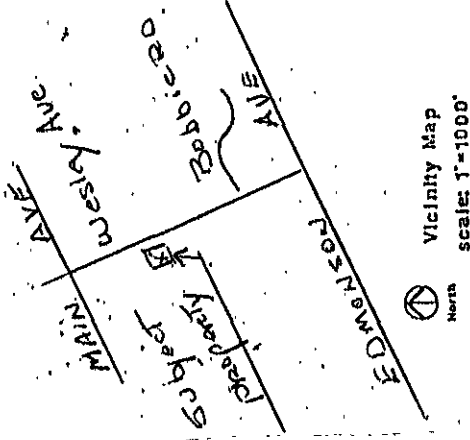
96-426-A



**MICROFILMED**

North  
date: 5/1/96  
prepared by: R.L. Tice

Scale of Drawing: 1" = 30'



## LOCATION INFORMATION

Election District: 1  
Councilmanic District: 1  
1"=200' scale map#: attached  
Zoning: DR 5:5  
Lot size: 172 acreage 7500 square feet

SEWER: ☒ public ☐ private  
WATER: ☒ yes ☐ no  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearings: None

## Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

431

96-426-A



MICROFILMED

IN RE: PETITION FOR ADMIN. VARIANCE  
SW/S Wesley Avenue, 445' S of  
the c/l of Main Avenue  
(132 Wesley Avenue)  
1st Election District  
1st Councilmanic District  
Thomas Hebron  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-426-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 132 Wesley Avenue, located in the vicinity of Edmondson Avenue in Catonsville. The Petition was filed by the owner of the property, Thomas Hebron. The Petitioner seeks relief from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 20 feet in lieu of the required front average of 30.5 feet for a proposed enclosed porch. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30<sup>th</sup> day of May, 1996 that the Petition for Administrative Variance seeking relief from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 20 feet in lieu of the required front average of 30.5 feet for a proposed enclosed porch, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

#### Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

May 30, 1996

(410) 887-4386

Mr. Thomas Hebron  
132 Wesley Avenue  
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SW/S Wesley Avenue, 445' S of the c/l of Main Avenue  
(132 Wesley Avenue)  
1st Election District - 1st Councilmanic District  
Thomas Hebron - Petitioner  
Case No. 96-426-A

Dear Mr. Hebron:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. R. L. Tice, Patio Enclosures, Inc.  
224 8th Avenue, Glen Burnie, MD. 21061

People's Counsel

File



#### Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 132 WESLEY AVENUE  
which is presently zoned DE-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property aboves in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 303.1 to allow a front yard setback of 20 in lieu of the required front average of 30.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

\*SEE REVERSE SIDE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchased/Lessor:		Legal Owner(s):	
Type or Print Name		THOMAS HEBRON	
Signature		Signature	
Address		Type or Print Name	
City		Signature	
State		Address	
Zip		City	
XX-XXXX-XXXX		State	
PATIO ENCLOSURES, INC.		132 WESLEY AVENUE	
Type or Print Name		788-4302	
Signature		Phone No.	
R. L. TICE, AGENT		CATONSVILLE, MD. 21228	
224 8th Avenue		City	
760-1919		State	
GLEN BURNIE, MD. 21061		Zip	
City		Address	
State		City	
Zip		State	
PATIO ENCLOSURES, INC.		224 8th Ave.	
760-1919		760-1919	
GLEN BURNIE, MD. 21061		Phone No.	

A Public Hearing has been requested and/or held to be required. It is ordered by the Zoning Commissioner of Baltimore County, Md., that the subject matter of this petition be set for a public hearing, advertising as required by the Zoning Regulations of Baltimore County, in the newspaper of general circulation throughout Baltimore County, and that the property be replatted.

Item # 431

#### Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:  
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) deced(s) presently reside at 132 WESLEY AVENUE  
Catonsville, MD. 21228

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

1. THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES AND LAND WITHOUT INTERRUPTION OR MAJOR ALTERATIONS TO THE PRESENT FLOOR PLAN PATTERNS.
2. INSULATE AND REDUCE HEATING BILLS.
3. REDUCE OUTSIDE NOISE.
4. A PLCAE TO SIT OUT AND NOT BE CONCERNED WITH THE WEATHER, BUGS, MOSQUITOES, FLIES, ETC.
5. IMPROVE APPEARANCE OF HOUSE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

THOMAS HEBRON  
Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, MD.  
I HEREBY CERTIFY, this 29<sup>th</sup> day of May, 1996, that I am a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas Hebron  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.  
4/2/96

My Commission Expires: 7/7/98

#### LEGAL DESCRIPTION OF PROPERTY

Beginning on the southwest side of Wesley Avenue, 30' wide at a distance of 445' south of the centerline of Main Avenue and running thence easterly along the southernmost line of the said whole tract of ground 150 feet to the west side of Wesley Avenue thence northerly along the west side of Wesley Avenue with the use thereof in common 50 feet, thence westerly parallel with said southernmost outline 150 feet to the easternmost boundary of the lot thence southerly bounding on the easternmost outline of said lot 50 feet to the place of beginning. The improvements thereon being known as NO. 132 Wesley Avenue

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st Date of Posting 5/24/96  
Posted for: Thomas Hebron  
Petitioner: Thomas Hebron  
Location of property: 132 Wesley Ave.  
Location of Sign: 132 Wesley Ave. (near 445' S of Main Ave.)  
Remarks:  
Posted by: [Signature] Date of return: 5/24/96  
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF PERMITS-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 5 May 96 AMOUNT \$ 85.00  
BY [Signature] FOR [Signature]  
ATTN: [Signature] VALUATION OF IMPROVEMENTS OF CHAIRMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 12, 1996

#### NOTICE OF CASE NUMBER ASSIGNMENT

Case Number: 96-426-A (Item 431)  
132 Wesley Ave.  
SW/S Wesley Avenue, 445' S of Main Avenue  
1st Election District - 1st Councilmanic  
Legal Owner(s): Thomas Hebron

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property has been posted. The file's closing date is May 28, 1996. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request before the closing date or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl J. Jellison

Arnold Jablon  
Director  
cc: Thomas Hebron  
R. L. Tice/Patio Enclosures, Inc.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 24, 1996

Patio Enclosures, Inc.  
R. L. Tice  
224 8th Avenue  
Glen Burnie, MD 21061

RE: Item No.: 431  
Case No.: 96-426-A  
Petitioner: Thomas Hebron

Dear Mr. Tice:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR/re  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: May 9, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Nos. 423, 425, 426, 428, 431, 434, 435, and 436

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*

Division Chief: *Darryl L. Kinn*

PK/JL

ITEM423/PZONE/ZAC1



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 431 (C/H)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2238 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 05/16/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 13, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 423, 424, 425, 426, 428, 429, 430, 431, 432, 433, 435 AND 436.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4691, MS-1102F

cc: File

Printed with EcoPrint ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: May 20, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for May 20, 1996  
Item No. 431

The Development Plans Review Division has reviewed the subject zoning item. Wesley Avenue is an existing road which shall be improved as a 30-foot street cross section on a 40-foot right-of-way.

RWB:HJO:jrb

cc: File

PETITION PROBLEMS

#423 — JRF

1. No telephone number for legal owner.
2. No hardship or practical difficulty on petition form.
3. Notary section is incomplete.

#426 — JLL

1. Who signed for attorney? Need authorization for person signing for attorney.
2. No review information on bottom of petition form.
3. Need better description.

#428 — CAM

1. No wording (just section number) on petition form for variance.
2. Address and telephone number for legal owner not in proper place on petition form.

#429 — JLL

1. Only one legal owner signed petition form. Need other signatures or authorization for this person to sign for all.

#431 — CAM

1. No review information on bottom of petition form.

#433 — JRA

1. No wording or section number of petition form for variance.
2. Folder says zoning is "B.M. & M.R."; petition says zoning is "M.R." - which is correct??
3. Checks and receipt still in folder - never cashed.

#435 — JJS

1. Need title of person signing for legal owner. Need authorization for person signing for legal owner.

5/7/96

DEED 9350 REG 639

NO TITLE SEARCH  
NO STAMPS REQUIRED  
WIFE TO HUSBAND  
CONVEYANCE

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

This Deed, MADE THIS *16th* day of *June*, 1996, by and between

Thomas J. Hebron and Wanda Sue Hebron, his wife, parties of the First Party

of Baltimore County  
Thomas J. Hebron, of Baltimore County, State of Maryland  
of the second part.

Witnesseth, That in consideration of the sum of Twenty Thousand (\$20,000.00) Dollars paid by Thomas J. Hebron, unto Wanda Sue Hebron, his wife, pursuant to a Separation Agreement.

the said parties of the First Part

do grant and convey to the said Thomas J. Hebron, the party of the Second Part, his

personal representatives/successors and assigns that  
First Election District of Baltimore County  
lot of ground situate in

and described as follows, that is to say:  
Beginning for the same at the southeast corner of the lot heretofore demised Elias Linezey to James A. Collins by Lease dated August 15, 1911 and recorded among the Land Records of Baltimore County in Liber WPC NO. 381, folio 580, which point of beginning is designed to be in the southernmost outline of the whole parcel of land heretofore conveyed by Mary E. Shebler and husband to Elias Linezey and running thence easterly along the southernmost line of the said whole tract of ground 150 feet to the west side of Wesley Avenue thence northerly along the west side of Wesley Avenue with the use thereof in common 50 feet, thence westerly parallel with said southernmost outline 150 feet to the easternmost boundary of the lot heretofore deeded to Collins as aforesaid, thence southerly bounding on the easternmost outline of said lot 50 feet to the place of beginning. The improvements thereon being known as NO. 132 Wesley Avenue.

BEING the same lot of ground described in a Deed dated August 4, 1955 and recorded among the Land Records of Baltimore County in Liber GLB No. 2752, folio 135 from James S. Penn and Margaret M. Penn, his wife, to Francis E. Hebron and Mildred E. Hebron, his wife. The said Francis E. Hebron departed this life on or about October 1, 1973 thereby vesting the absolute fee simple title in and to the hereinabove described property unto Mildred E. Hebron, the herein Grantor.

BEING the same lot or parcel of ground which by Deed dated July 19, 1976 and recorded among the Land Records of Baltimore County in Liber 5657, folio 776, etc. was granted and conveyed by Mildred E. Hebron unto the within named Grantors.  
At the request of both parties, Grantors hereto, no title search was made and this deed is prepared solely on the basis of information furnished by them and a valid Separation Agreement. This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney or by a party to this instrument.

*Phineas S. Dixon*  
Phineas S. Dixon, Esquire

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND TO HOLD the said described lot of ground and premises to the said Thomas J. Hebron as his sole and separate Estate, his heirs and

personal representatives/successors

and assigns, in fee simple.

And the said parties of the first part hereby covenant that they not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hand s and seals of said grantor s.

Test:

*Phineas S. Dixon*

*Thomas J. Hebron*  
THOMAS J. HEBRON (SEAL)

*Wanda Sue Hebron*  
WANDA SUE HEBRON (SEAL)

STATE OF MARYLAND, I HEREBY CERTIFY, That on this *16th* day of *June*, 1996, in the year one thousand nine hundred and ninety-two, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Thomas J. Hebron

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act and in my presence signed and sealed the same.

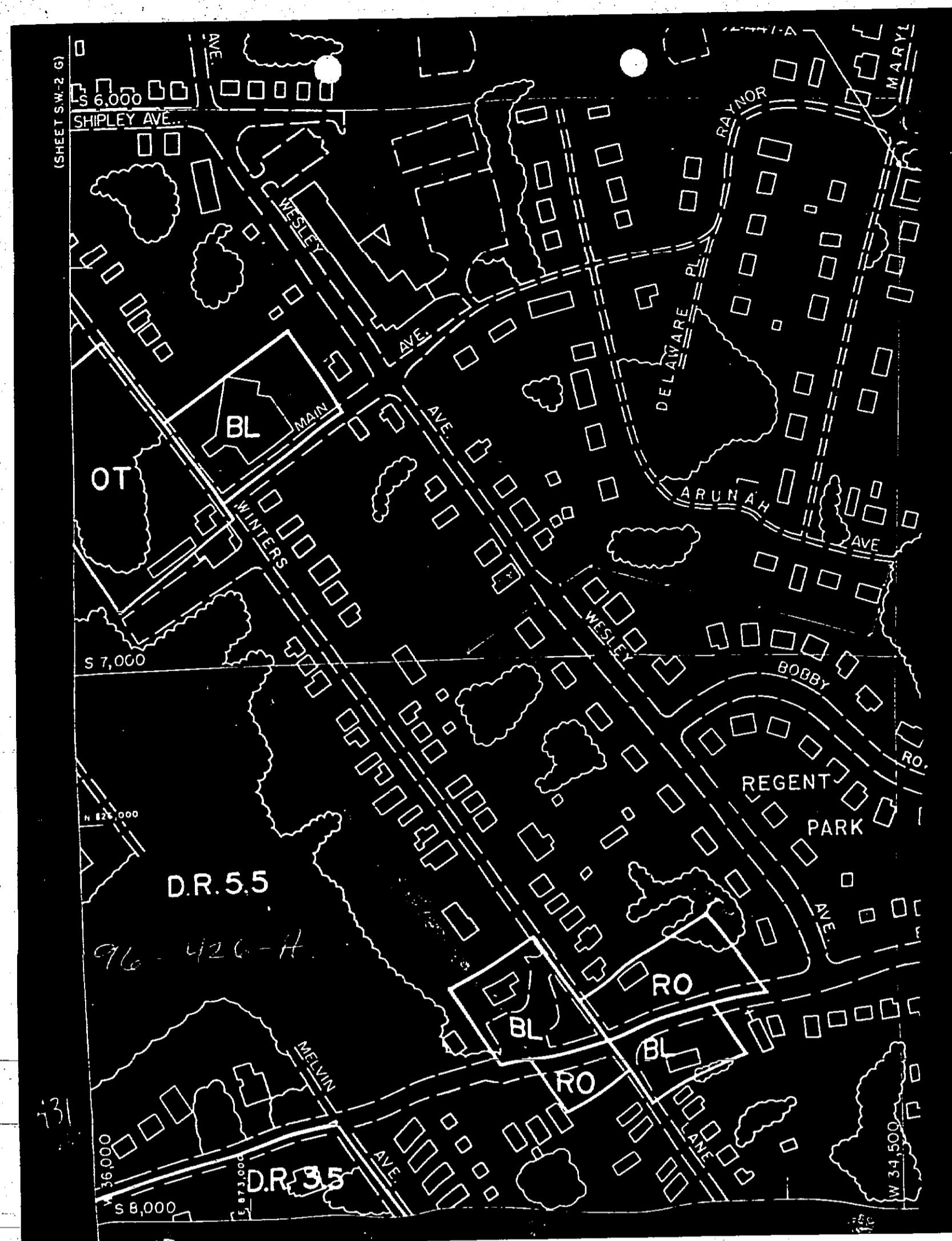
In WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

*7/1/97*

This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.

*Phineas S. Dixon*  
(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)



**Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing**

PROPERTY ADDRESS: 132 Wesley Avenue  
 Subdivision name: None  
 Plat book # 2009, letter # 2009, information section # none  
 OWNER: Hebron, Thomas

not in a flood plain.  
 96-426-A

Stewart, Michael  
 Jones, Marvin  
 Smith, Willie

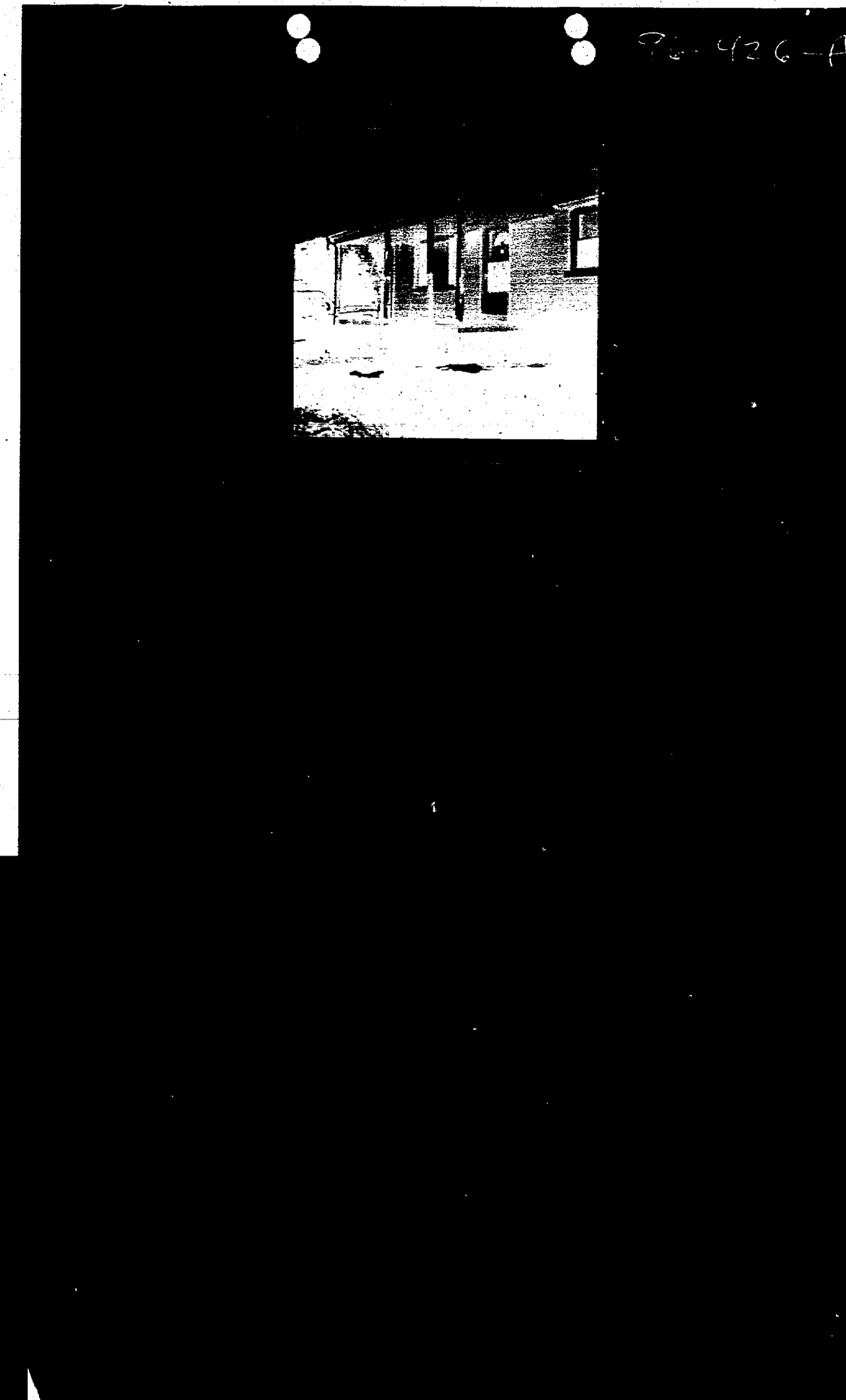
Scale of Drawing: 1" = 30'

North  
 date: 5/1/36  
 prepared by: R.L. Tice

LOCATION INFORMATION  
 Election District: 1  
 Councilmanic District: 1  
 1"=100' scale map: attached  
 Zoning: DR 5.5  
 Lot size: 172 7500  
 acreage square feet

SEWER: ☒  
 WATER: ☒  
 Chesapeake Bay Critical Area: ☐  
 Prior Zoning Hearings: none

Zoning Office USE ONLY!  
 reviewed by: ITEM #: CASE#:  
 431



96-426-A



A31

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200'	CATONSVILLE	S.W. 2-7
DATE OF PHOTOGRAPHY JANUARY 1986		